

### Religion plays key role in social change



**E**xploring the question of whether equal rights for gay individuals should give way to liberties for religious people, William Eskridge Jr., Garver Professor of Jurisprudence at Yale Law School, delivered the 106th Sibley Lecture.

In his presentation titled “Noah’s Curse and Paul’s Admonition: Civil Rights, Religious Liberty, Gay Equality,” he examined connections between this query and one that was raised decades ago – should equal rights for people of color give way to the liberties of religious people?

Eskridge described the recent argument from religious groups that promoting homosexuality undermines God’s order, making the job of religious parents harder and leading to censorship of religious identity. These groups also argue that anti-discrimination laws force religious people to live among

homosexuals, who they consider “pollutions,” he added.

“Clashes between equality and liberty are not new,” Eskridge said. “They have parallels [with] race relations a generation ago.” According to the Yale scholar, there were many who believed racial integration should not be allowed because, similarly, it undermined God’s order and forced association.

The viewpoints of religions such as Judaism, Mormonism and Protestantism were discussed by Eskridge in regard to the rights of these minority groups. He quoted several distinct biblical passages from the Old and New Testaments that have been used to both defend and denounce slavery and homosexuality, proving that throughout the years religious groups have wavered on these controversial issues.

Church leaders at one point used scripture to protect their right to slaves, Eskridge said, yet later provided different passages when it was decided slavery was no longer socially acceptable. Similarly, he said religions have changed their point of view on homosexuality, though those in favor of gay marriage are still in the minority.

He added that “cultural norms will be translated into religious doctrine. As cultural norms change, religious doctrine will also change.

“Part of the power of the civil rights movement is that it had religion on both sides of the debate,” Eskridge said. “Social change and legal reforms, in my opinion, don’t stick until at least some major religious institutions abandon their opposition.”

Eskridge explained that the ultimate lesson learned from historical social reform is that there is a mutually constitutive relationship between church and state. For this reason, he believes religion should not be removed from gay marriage deliberation.

Accordingly, the courts should not create “door-closing rules” that would cause debate over this issue to end. “The Supreme Court will not, and should not, intervene and strike down marriage exclusions all over America. The discussion is not over,” he said, “and one of the barometers of the discussion is religion.”

Eskridge believes that religious leaders, even those of open and tolerant religions, are still in the middle of crucial conversations regarding discrimination issues and that these conversations must be able to continue.

“An important forum for gay rights is within religion and not just within cultural discourse and state discourse,” Eskridge said. “Religion can be both the repository of prejudices as well as an instrument for redemption.”

– CHRISTINA GRAFF